

Sec. 4. No corporation created under Section 1 hereof shall include as one of its purposes any purpose for which corporations may be created under the general laws of this State enumerated in Section 3 hereof.

"Nor shall any corporation have the power to acquire or own lands in the State of Texas except for the purposes not inhibited by Chapter 4 of Title 32 of the Revised Statutes of 1905, and its corporate purposes with reference to lands in Texas shall be limited to purchasing, improving, selling and subdividing real property in towns, cities and villages and their suburbs (not extending more than two miles beyond their limits), or lands within water control and improvement districts, water improvement districts, levee improvement districts and drainage districts organized under the laws of the State of Texas."

Sec. 5. No corporation created under Section 1 hereof shall include as one of its purposes the practice of law or the practice of any of the healing arts and sciences, or the acting as local, recording, or general agent for any insurance company.

Sec. 6. Each and every corporation created under the provisions of this Act shall be required, after filing its charter or amendments thereof with the Secretary of State, to record the same or a copy thereof duly certified by the Secretary of Texas at length in the minutes of the board of directors of such corporation and shall have the same recorded in full in the records of the county clerk of the county in which such corporation has its principal office before such corporation shall transact any business in this State.

Sec. 7. The fact that the present law under which private corporations of the nature specified in this Act are chartered is uncertain, inadequate and ambiguous, creating uncertainty as to charter powers of corporations and requiring constant and continuous amendments thereto, subjecting citizens to grave inconvenience and expense, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read upon three several days in each House be suspended and said rule is hereby suspended and said public emergency is hereby declared and it is enacted

that this Act shall take effect and be in force from and after its passage.

### THIRD DAY.

Senate Chamber,  
Austin, Texas,  
Wednesday, June 5, 1929.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem Pink Parrish.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Galner.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Parr.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Small.

### Petitions and Memorials.

(See Appendix.)

### Committee Reports.

(See Appendix.)

### Bills and Resolutions.

By Senator Hornsby:

S. B. No. 61, A bill to be entitled "An Act providing for the purchase of certain real estate located in the city of Austin, north of the Capitol Building and south of Fourteenth Street for State purposes; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Miller:

S. B. No. 62, A bill to be entitled "An Act limiting the amount of

white perch, crappie or bass that may lawfully be taken in one day from the public fresh waters of Denton County, Texas, prescribing penalties for violating this Act; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Miller:

S. B. No. 63, A bill to be entitled "An Act prohibiting the giving of free transportation by those transporting passengers for hire in motor vehicles operating between cities, towns and villages; etc., and declaring an emergency."

Read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Russek:

S. B. No. 64, A bill to be entitled "An Act to create Road District No. 1 in Lavaca County, Texas; etc., and declaring an emergency."

Read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Holbrook:

S. B. No. 65, A bill to be entitled "An Act relating to banks and bank and trust companies; etc., and declaring an emergency."

Read first time and referred to Committee on Banks and Banking.

By Senators Thomason and Beck:

S. B. No. 66, A bill to be entitled "An Act exempting veteran soldiers and others serving in the Spanish-American War from payment of fees or charges in State Institutions, Schools or Colleges of this State to the same extent that those serving in the World War are exempt from same under the laws of this State; etc., and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Parrish:

S. B. No. 67, A bill to be entitled "An Act providing a maximum amount of compensation, salary, fees and commissions which officers mentioned in any article of Chapter 1, of Title 61, of the Revised Statutes, 1925, may retain; etc., and declaring an emergency."

Read first time and referred to Committee on State Affairs.

#### Simple Resolution No. 1.

Senator Love sent up the following resolution:

Resolved, That the rules of the Regular Session of the Forty-first Legislature be, and they are hereby, adopted as the rules of this, the Second Called Session of the Forty-first Legislature, with the following amendments thereto:

Amend by adding a new rule, to be known as Rule 4a. When a Call of the Senate has been demanded, and a motion has been adopted to compel the attendance of absent members, the doors of the Senate shall be closed, and shall be kept closed, and no Senator shall leave the Senate without its permission, until the Call of the Senate shall be dissolved by majority vote of the Senate, or until the Senate shall adjourn or recess.

Love, Woodward, Williamson, Holbrook, DeBerry, Woodul, Cunningham, Greer, Parrish, Berkeley, Hornsby, Hardin, Beck, Thomason, Neal, McFarlane, Witt.

Read and referred to the Committee on Rules.

#### Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives  
Austin, Texas, June 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 3 In memory of the late Major Joseph H. Noyes.

H. C. R. No. 4 Designating a period to be known as Texas Prosperity Month.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives  
Austin, Texas, June 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of one hundred thousand (\$100,000) Dollars, or so much thereof as may be necessary, out of the general revenue, to pay the per diem and mileage of members, the

per diem of officers and employees and the contingent expenses of the Second Called Session of the Legislature, etc., and declaring an emergency."

Respectfully submitted,  
LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Bills Signed.

The Chair, President Pro Tem Pink Parrish, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 1.

#### Senate Bill No. 44.

The question recurred upon the motion to re-refer S. B. No. 44 from the Committee on Civil Jurisprudence to the Committee on State Affairs.

The motion prevailed by the following vote:

Yeas—13.

Cousins.	Miller.
Cunningham.	Russek.
DeBerry.	Stevenson.
Gainer.	Westbrook.
Greer.	Wirtz.
Hardin.	Witt.
Martin.	

Nays—12.

Beck.	Neal.
Berkeley.	Parrish.
Holbrook.	Pollard.
Hornsby.	Smith.
Love.	Thomason.
McFarlane.	Woodul.

Present—not voting.

Williamson.

Absent.

Hyer.

(Pairs Recorded).

Senator Moore (present), who would vote yea with Senator Patton (absent), who would vote nay.

Senator Woodward (present), who would vote nay with Senator Parr (absent), who would vote yea.

#### Senate Bill No. 2.

The Chair laid before the Senate on its second reading the following bill:

By Senator Pollard.

S. B. No. 2, A bill to be entitled "An Act making appropriations to pay the salaries of judges, and the support and maintenance of the Judicial Department of the State Government for the two-year period beginning September 1, 1929, and ending August 31, 1931, and declaring an emergency."

The bill was read second time.

Senator Wirtz sent up the following amendment:

Amend S. B. No. 2, Page 3, by striking out all of line 25, and in lieu thereof insert the following:

Furniture and fixtures	.....	\$250.00	\$250.00
			WIRTZ.

The amendment was read and adopted.

Senator Wirtz sent up the following amendment:

Amend S. B. No. 2, Page 14, by adding after line 20 the following:

"To pay expense of the Advisory Judicial Council created by Act of the 41st Legislature, 1st Called Session, S. B. No. 52, including traveling expense, clerical expense, stamps, stationery, telephone, telegraph, printing reports, etc....."

	.....	\$10,000.00	\$10,000.00
			WIRTZ.

The amendment was read and adopted.

Senator Love sent up the following amendment:

Amend by striking out on page 11, line 6, the words and figures Porter ..... \$720.00 \$720.00 and insert in lieu thereof the words and figures: Porter and Custodian ..... \$1,080 \$1,080.00

LOVE.

The amendment was read and adopted.

Senator Thomason sent up the following amendment:

Amend S. B. No. 2, page 8, line 30, by striking out "\$6,000.00" in each of the respective years and inserting in lieu thereof "\$7,200.00"

THOMASON.

The amendment was read and adopted by the following vote:

Yeas—15.

Beck.	Greer.
Berkeley.	Hardin.
Gainer.	Hornsby.

Love.	Thomason.
Neal.	Westbrook.
Patton.	Williamson.
Pollard.	Witt.
Stevenson.	

Nays—12.

Cousins.	Miller.
Cunningham.	Moore.
DeBerry.	Parrish.
Holbrook.	Small.
Martin.	Woodul.
McFarlane.	Woodward.

Present—not voting.

Wirtz.

Absent.

Hyer.                      Russek.

Absent—Excused.

Parr.

Senator Witt send up the following amendment:

Amend S. B. No. 2, Page 12, by adding as line 18½ the following: "Expenses of Judges of Courts of Civil Appeals in going to other courts to take submissions of cases \$1,000.00 each year" and change the totals accordingly.

WITT.

The amendment was read.

Senator Woodward sent up the following substitute for the amendment:

Amend S. B. No. 2, Page 13, by inserting between the lines 17 and 18, the following:

To pay the traveling and other necessary expenses of the Judges of the Courts of Civil Appeals in hearing arguments outside of their respective districts in cases transferred from one Court of Civil Appeals to another under order of the Supreme Court—\$3,000.00 \$3,000.00

WOODWARD.

The substitute was read and adopted.

The amendment as substituted was adopted by the following vote:

Yeas—14.

Beck.	Patton.
Berkeley.	Pollard.
Gainer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Williamson.
Hornsby.	Witt.
Martin.	Woodward.

Nays—12.

Cunningham.	Neal.
DeBerry.	Parrish.
Greer.	Russek.
McFarlane.	Small.
Miller.	Westbrook.
Moore.	Woodul.

Present—not voting.

Cousins.                      Wirtz.

Absent.

Hyer.                      Parr.  
Love.

Senator Holbrook sent up the following amendment:

Amend S. B. No. 2 by substituting the figures \$1080 for the figures \$720 in line 29, page 1, wherever they appear.

HOLBROOK,  
WOODUL.

The amendment was read.

Senator Wirtz sent up the following substitute for the amendment:

Substitute for the pending amendment:

Amend S. B. No. 2 by substituting the figures \$1080 for the figures \$720 wherever they appear opposite the word "porters," wherever they appear in the bill.

WIRTZ.

The substitute was read.

Senator Pollard moved to table the pending substitute and the amendment.

Senator Holbrook called for a division of the question.

The motion to table the substitute was lost by the following vote:

Yeas—5.

Gainer.	Pollard.
Hornsby.	Woodward.
McFarlane.	

Nays—18.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Russek.
Cunningham.	Stevenson.
DeBerry.	Thomason.
Greer.	Williamson.
Holbrook.	Wirtz.
Love.	Witt.
Martin.	Woodul.
Miller.	

<b>Absent.</b>		McFarlane.	Small.
Hardin.	Moore.	Moore.	Westbrook.
Hyer.	Neal.	Neal.	Williamson.
		Patton.	Woodward.
		Pollard.	
Absent—Excused.			
Parr.		Nays—9.	
(Pairs Recorded).		Cunningham.	Stevenson.
Senator Westbrook (present),		Love.	Thomason.
who would vote nay with Senator		Martin.	Wirtz.
Small (absent), who would vote yea.		Miller.	Woodul.
		Russek.	
<b>Recess.</b>		Present—not voting.	
On motion of Senator Martin, the		Parrish.	
Senate at 12:00 o'clock noon, re-			
cessed until 2:00 o'clock p. m.		<b>Absent</b>	
<b>After Recess.</b>		Gainer.	Hyer.
The Senate met at 2:00 o'clock		Greer.	Parr.
p. m., pursuant to recess, and was		Hardin.	Witt.
called to order by Lieutenant Gov-		The motion to reconsider was lost	
ernor Barry Miller.		by the following vote:	
<b>Senate Bill No. 2.</b>		Yeas—10.	
The question recurred upon the		DeBerry.	Patton.
pending amendment and substitute		Holbrook.	Pollard.
to S. B. No. 2.		Martin.	Stevenson.
Senator Holbrook offered to with-		McFarlane.	Westbrook.
draw his amendment.		Miller.	Wirtz.
The Chair, Lieutenant Governor		Nays—12.	
Barry Miller, held that Senator Hol-		Beck.	Neal.
brook could not withdraw his		Berkeley.	Parrish.
amendment because a substitute		Cunningham.	Thomason.
had been offered and a vote had		Hornsby.	Williamson.
been taken on it. Final action on		Love.	Woodul.
the substitute must be taken, the		Moore.	Woodward.
Chair held, before the original		<b>Absent.</b>	
amendment would be subject to con-		Cousins.	Hyer.
sideration and withdrawal.		Gainer.	Russek.
Senator Wirtz received unanimous		Greer.	Small.
consent to withdraw his substitute.		Hardin.	Witt.
Senator Holbrook received unani-		Absent—Excused.	
mous consent to withdraw the origi-		Parr.	
nal amendment.		Senator Holbrook sent up the fol-	
Senator Holbrook moved to re-		lowing amendment:	
consider the viva voce vote by		Amend S. B. No 2 by substitut-	
which Senator Love's amendment to		ing the figures \$1080 for the figures	
S. B. No. 2 was adopted.		\$720 in line 29, page 1, wherever	
Senator Williamson moved the		they appear.	
previous question on the motion to		<b>HOLBROOK.</b>	
reconsider. The motion failed to re-		The amendment was read.	
ceive the proper seconding.		Senator Pollard moved to table	
Senator Woodward moved the		the amendment. The motion was	
previous question on the motion to		lost by the following vote:	
reconsider. The motion prevailed			
by the following vote:			
Yeas—15.			
Beck.	DeBerry.		
Berkeley.	Holbrook.		
Cousins.	Hornsby.		

## Yeas—10.

Beck.	Parrish.
DeBerry.	Pollard.
McFarlane.	Russek.
Miller.	Wirtz.
Moore.	Woodward.

## Nays—12.

Berkeley.	Stevenson.
Holbrook.	Thomason.
Love.	Westbrook.
Martin.	Williamson.
Neal.	Witt.
Patton.	Woodul.

## Absent.

Cousins.	Hardin.
Cunningham.	Hornsby.
Gainer.	Hyer.
Greer.	Small.

## Absent—Excused.

Parr.

The amendment was lost by the following vote:

## Yeas—12.

Beck.	Patton.
Berkeley.	Stevenson.
Holbrook.	Thomason.
Love.	Westbrook.
Martin.	Witt.
Neal.	Woodul.

## Nays—13.

Cousins.	Parrish.
DeBerry.	Pollard.
Greer.	Russek.
Hornsby.	Small.
McFarlane.	Wirtz.
Miller.	Woodward.
Moore.	

## Absent.

Cunningham.	Hyer.
Gainer.	Williamson.
Hardin.	

## Absent—Excused.

Parr.

Senator Woodward sent up the following amendment:

Amend S. B. No. 2, on page three, by inserting between lines 8 and 9 the following:

For typewriters and  
filing cases .....\$400.00 \$400.00  
WOODWARD.

The amendment was read.

Senator McFarlane moved to table the amendment. The motion prevailed by the following vote:

## Yeas—14.

Cousins.	Parrish.
Cunningham.	Pollard.
DeBerry.	Russek.
Greer.	Small.
Martin.	Thomason.
McFarlane.	Westbrook.
Miller.	Woodul.

## Nays—7.

Berkeley.	Wirtz.
Hornsby.	Witt.
Love.	Woodward.
Patton.	

## Present—not voting.

Holbrook.	Hyer.
-----------	-------

## Absent.

Beck.	Neal.
Gainer.	Stevenson.
Hardin.	Williamson.
Moore.	

## Absent—Excused.

Parr.

Senator Holbrook moved to reconsider the vote by which Senator Wirtz's second amendment (appropriating \$10,000) was adopted.

Senator Wirtz moved to table the motion. The motion to table was lost by the following vote:

## Yeas—11.

Beck.	Stevenson.
Hardin.	Thomason.
Martin.	Wirtz.
Miller.	Witt.
Pollard.	Woodward.
Russek.	

## Nays—13.

Berkeley.	Moore.
Cunningham.	Parrish.
DeBerry.	Patton.
Greer.	Small.
Holbrook.	Westbrook.
Hornsby.	Woodul.
McFarlane.	

## Absent.

Cousins.	Love.
Gainer.	Neal.
Hyer.	Williamson.

Absent—Excused.  
Parr.  
The motion to reconsider was lost  
by the following vote:

Yeas—9.

Cunningham.	McFarlane.
DeBerry.	Parrish.
Greer.	Small.
Holbrook.	Woodul.
Hornsby.	

Nays—17.

Beck.	Pollard.
Berkeley.	Russek.
Cousins.	Stevenson.
Hardin.	Thomason.
Love.	Westbrook.
Martin.	Williamson.
Miller.	Wirtz.
Moore.	Witt.
Patton.	

Absent.

Gainer.	Neal.
Hyer.	Woodward.

Absent—Excused.

Parr.

Senator McFarlane sent up the  
following amendment:

Amend S. B. No. 2 by adding to  
the end of line 15, page 17, the fol-  
lowing:

"Providing further that all em-  
ployees coming under the provision  
of this Act shall be entitled to re-  
ceive pay for services actually per-  
formed and said employees may re-  
ceive not to exceed a two-week's va-  
cation annually on pay."

McFARLANE.

The amendment was read and  
adopted by the following vote:

Yeas—14.

Beck.	Miller.
DeBerry.	Moore.
Greer.	Parrish.
Holbrook.	Pollard.
Hornsby.	Small.
Martin.	Westbrook.
McFarlane.	Woodul.

Nays—11.

Berkeley.	Stevenson.
Cousins.	Thomason.
Cunningham.	Williamson.
Hardin.	Wirtz.
Patton.	Witt.
Russek.	

Absent.

Gainer.	Neal.
Hyer.	Woodward.
Love.	

Absent—Excused.

Parr.

The bill as amended passed to en-  
grossment.

On motion of Senator Pollard the  
constitutional rule requiring bills to  
be read on three several days was  
suspended and S. B. No. 2 was put  
on its third reading and final pas-  
sage, by the following vote:

Yeas—28.

Beck.	Neal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent.

Gainer.	Hyer.
---------	-------

Absent—Excused.

Parr.

Read third time and finally passed  
by the following vote:

Yeas—27.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Pollard.
Cunningham.	Russek.
DeBerry.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Nays—1.

Holbrook.

Gainer.	Absent.
	Neal.

## Absent—Excused.

Parr.

## Senate Bill No. 9.

Senator Williamson received unanimous consent to take up the following bill:

By Senators Williamson, Pollard, Neal, Berkeley, et al.

S. B. No. 9, A bill to be entitled "An Act authorizing the Governor to appoint a commission of three citizens of the State of Texas to acquire by purchase, condemnation or otherwise, all remaining property now privately owned in the block bounded by Alamo Plaza, Nacogdoches and East Houston Streets in the City of San Antonio, surrounding the historic Alamo, for the State of Texas; prescribing the duties of such commission, and describing the land to be purchased; authorizing condemnation proceedings; making appropriation for the acquisition thereof and the expenses in connection therewith; directing how and when the same shall be paid for; and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 9 was put on its third reading and final passage, by the following vote:

## Yeas—29.

Beck.	Neal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

## Absent.

Gainer.

## Absent—Excused.

Parr.

Read third time and finally passed by the following vote:

## Yeas—27.

Beck.	Neal.
Berkeley.	Parrish.
Cousins.	Pollard.
Cunningham.	Patton.
DeBerry.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	

## Nays—1.

Holbrook.

## Absent.

Gainer.

Woodward.

## Absent—Excused.

Parr.

## Reason for Vote.

Senator Holbrook sent up the following reason for his vote:

Reason of Senator Holbrook for voting nay in the matter of appropriating \$1,000,000.00 out of the general fund of the State for purchasing land adjoining the Alamo in San Antonio:

I vote nay for the reason that we have not sufficient funds in prospect for the next two years with which to meet the imperative needs of this State.

## HOLBROOK.

## Senate Bill No. 3.

The Chair laid before the Senate on second reading the following bill:

By Senator Pollard:

S. B. No. 3, A bill to be entitled "An Act declaring the permanent policy of the people of Texas and the Legislature thereof with reference to public schools, and for the purpose of promoting the public school interests of Texas, of aiding the people to provide adequate school facilities for the education of their children; etc."

Read second time.

On motion of Senator Pollard, the bill was laid on the table subject to call.

## Senate Bill No. 5.

Senator Pollard received unanimous consent to take up the following bill:



By Senator Pollard:

S. B. No. 5, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State; etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 5 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Moore.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent.

Gainer. Neal.

Absent—Excused.

Parr.

Read third time.

Senator Greer moved to reconsider the vote by which the constitutional rule was suspended.

Senator Pollard moved to table the motion. The motion prevailed by the following vote:

Yeas—15.

Beck.	Patton.
Gainer.	Pollard.
Hardin.	Russek.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Witt.
Martin.	

Nays—13.

Berkeley.	Moore.
Cousins.	Parrish.
Cunningham.	Small.
DeBerry.	Williamson.
Greer.	Wirtz.
McFarlane.	Woodul.
Miller.	

Absent.

Neal.

Woodward.

Absent—Excused.

Parr.

#### Message From the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Office.

Austin, Texas, June 5, 1929.

To the Members of the Forty-First Legislature:

The following subjects are submitted for your consideration:

1. The amendment of Article 388, Revised Civil Statutes, to prescribe the qualifications of directors in banking corporations. The amendment of this statute is made necessary by reason of the bill passed by the last session of the Legislature prescribing the amount in which certificates of stock in banking corporations might be issued.

2. Amendments of the statutes to adjust the compensation of public officers.

3. Amendment of Chapter 208, page 449, Acts of the Forty-first Legislature, to correct defects in said bill.

4. The enactment of a local bill to protect wild game in Denton county.

5. Enactment of amendments to the present State Sanitary Laws to make needed changes and to properly protect public health.

6. The enactment of statutes giving the Department of Agriculture power to enforce quarantine and other rules.

Respectfully submitted,

DAN MOODY,  
Governor of Texas.

#### H. C. R. No. 3.

The Chair laid before the Senate H. C. R. No. 3, in memory of the late Major Joseph H. Noyes.

Senator DeBerry sent up the following amendment:

Amend line 3 by changing the name Hoyes to Noyes.

DeBERRY.

Read and adopted.

The resolution as amended was adopted unanimously by a rising vote.

**H. C. R. No. 4.**

The Chair laid before the Senate H. C. R. No. 4, designating a period to be known as Texas Prosperity Month.

Read and adopted.

**Adjournment.**

On motion of Senator Wirtz, the Senate, at 5:00 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

**APPENDIX.****Committee on Enrolled Bills.**

Committee Room,

Austin, Texas, June 5, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 1 carefully examined and compared, and find the same correctly enrolled, and have this day at 10:45 o'clock a. m. presented the same to the Governor for his approval.

WITT, Chairman.

**Committee Reports.**

Committee Room,

Austin, Texas, June 4, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 24, A bill to be entitled "An Act making an appropriation of \$452.64 (Four Hundred Fifty Two Dollars and Sixty Four Cents) out of the General Revenue of the State of Texas, not otherwise appropriated, to pay the increase in the salary of the Assistant Adjutant General of the State of Texas, as provided for in S. B. No. 315, passed in the Regular Session of the Forty-first Legislature; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

POLLARD, Chairman.

Committee Room,

Austin, Texas, June 4, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 7, A bill to be entitled

"An Act appropriating the sum of \$510,000.00 out of the State Highway Fund for the purchase of site and erection and equipping of a fire-proof building in which shall be located all offices maintained by the State Highway Department in the City of Austin."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

POLLARD, Chairman.

Committee Room,

Austin, Texas, June 4, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 8, A bill to be entitled "An Act making an appropriation for the support and maintenance of Dickson Colored Orphanage for the remainder of the fiscal year ending August 31, 1929, and ratifying, confirming and approving the acceptance by the State of said Orphanage property heretofore made by Resolution of the Legislature; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

POLLARD, Chairman.

Committee Room,

Austin, Texas, June 5, 1929.

Hon. Barry Miller, President of the Senate.

We, your Committee on Finance, to whom was referred

S. B. No. 47, A bill to be entitled An Act making an appropriation for the erection of a Memorial Building in memory of David Crockett, Texas Hero of the Alamo, in a park now owned by the City of Crockett; providing for the conveyance of said park to the State; providing for the equipment and maintenance of said Memorial Building and the improvement and maintenance of said park; enacting other incidental provisions; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

POLLARD, Chairman.

Committee Room,  
Austin, Texas, June 5, 1929.  
Hon. Barry Miller, President of the  
Senate.

Sir: We, your Committee on Civil  
Jurisprudence, to whom was refer-  
red

S. B. No. 22, A bill to be entitled  
"An Act amending Title 40 of the  
Revised Civil Statutes of 1925 by  
adding thereto Article 1884a pro-  
viding that no judge shall sit in  
any case wherein he may be inter-  
ested or where either of the parties  
may be connected with him either  
by affinity or consanguinity with-  
in the third degree or where he  
shall have been counsel in the case,  
and declaring an emergency."

Have had the same under consid-  
eration and I am instructed to re-  
port it back to the Senate with the  
instruction that it do pass and be  
printed in the Journal.

WOODWARD, Chairman.

By Woodward. S. B. No. 22.

#### A BILL

##### To Be Entitled

An Act amending Title 40 of the Re-  
vised Civil Statutes of 1925 by  
adding thereto Article 1884a  
providing that no judge shall sit  
in any case wherein he may be  
interested or where either of the  
parties may be connected with  
him either by affinity or consan-  
guinity within the third degree  
or where he shall have been coun-  
sel in the case, and declaring an  
emergency.

Be it enacted by the Legislature of  
the State of Texas:

Section 1. Article 1884a. No  
judge shall sit in any case wherein  
he may be interested or where  
either of the parties may be con-  
nected with him either by affinity or  
consanguinity within the third de-  
gree or when he shall have been  
counsel in the case.

Sec. 2. The fact that the Revis-  
ed Civil Statutes of 1925 as codified  
omits from the Statute acts which  
prohibit judges from sitting in cases  
wherein they are disqualified,  
creates an emergency and an im-  
perative public necessity that the  
constitutional rule which requires  
bills to be read on three several  
days be suspended and said rule is  
hereby suspended and this Act  
shall become effective from and af-  
ter its enactment and it is so or-  
dered.

Committee Room,  
Austin, Texas, June 5, 1929.  
Hon. Barry Miller, President of the  
Senate.

Sir: We, your Committee on Civil  
Jurisprudence, to whom was refer-  
red

S. B. No. 23, A bill to be entitled  
"An Act to amend Article 5520 Re-  
vised Civil Statutes of 1925 relat-  
ing to limitation by adding to said Ar-  
ticle 5520, Section 3, as follows: If  
several obligations are secured by  
the vendor's lien, the same may be  
enforced at any time prior to four  
years after the note or obligation  
last maturing has matured, and de-  
claring an emergency."

Have had the same under consid-  
eration and I am instructed to re-  
port it back to the Senate with the  
instruction that it do pass and be  
printed in the Journal.

WOODWARD, Chairman.

By Woodward. S. B. No. 23.

#### A BILL

##### To Be Entitled

An Act to amend Article 5520 Re-  
vised Civil Statutes of 1925 re-  
lating to limitation by adding to  
said Article 5520, Section 3, as  
follows: If several obligations are  
secured by the vendor's lien, the  
same may be enforced at any time  
prior to four years after the note  
or obligation last maturing has  
matured, declaring an emer-  
gency.

Be it enacted by the Legislature of  
the State of Texas:

Section 1. That Article 5520 of  
the Revised Civil Statutes of 1925  
relating to limitation, be and the  
same is hereby amended by adding  
thereto Section 3 as follows, to-wit:

Sec. 3. If several obligations are  
secured by the vendor's lien, the  
same may be enforced at any time  
prior to four years after the note or  
obligation last maturing has ma-  
tured.

Sec. 2. The fact that the Revised  
Civil Statutes of 1925 as codified  
omits from the Statute acts which  
will authorize the enforcement of  
liens at any time prior to four years  
after the note and obligations last  
maturing has matured and thus  
leaving uncertain the rights of the  
holders of notes secured by the ven-  
dor's lien, creates an emergency  
and an imperative public necessity  
that the constitutional rule which

requires bills to be read on three several days be suspended and said rule is hereby suspended and this Act shall become effective from and after its enactment and it is so enacted.

Committee Room,  
Austin, Texas, June 5, 1929.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 19, A bill to be entitled "An Act exempting the cash surrender value of life insurance policies from liability for debt when any member of the family of the insured is a beneficiary under such policies, and exempting same from any kind of forced sale or other process to satisfy any debt; providing the rule when such member or members are only partially the beneficiaries; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be printed in the Journal.

MOORE, Chairman.

By Love. S. B. No. 19.

#### A BILL To Be Entitled

An Act exempting the cash surrender value of life insurance policies for debt when any member or members of the family of the insured is a beneficiary under such policies, and exempting same from any kind of forced sale or other process to satisfy any debt; providing the rule when such member or members are only partially the beneficiaries; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The cash surrender value of any life insurance policy shall be exempt from liability for any debt, and shall not be subject to forced sale, or other process to satisfy any debt, provided a member or members of the family of the insured are the beneficiaries under such policy, and in event they are only partially the beneficiaries then such policies shall be so exempt to the extent of their beneficiary interest.

Sec. 2. The fact that life insurance policies should be exempt from liability for debt as provided herein

in the interest of the family of the insured, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in both Houses be and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

#### FOURTH DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, June 6, 1929.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Absent.

Moore.

Absent—Excused.

Westbrook.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

#### Petitions and Memorials.

(See Appendix.)

#### Committee Reports.

(See Appendix.)

#### Bills and Resolutions.

By Senator Beck and others:  
S. B. No. 68, A bill to be entitled "An Act establishing a State San-